

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CLOSED

LATINO FOOD CORPORATION, INC., PERU
FOOD, INC.

Plaintiff,

v.

NESTLE S.A., NESTLE USA, NESTLE PERU

Defendants.

Civil Action No. 17-cv-11698-ES-MAH

**NOTICE OF DISMISSAL WITHOUT
PREJUDICE PURSUANT TO
F.R.C.P. 41(a)(1)(A)**

WHEREAS, this matter was filed by the filing of a Complaint by plaintiffs
LATINO FOOD CORPORATION AND PERU FOOD on or about November 16, 2017;
and

WHEREAS, as of the date subscribed, the time of the defendants to answer or otherwise
move with respect to the Complaint has not expired; and

WHEREAS, Fed.R.Civ.P. 41(a)(1)(A) provides that “the plaintiff may dismiss an action
without a court order by filing (i) a notice of dismissal before the opposing party serves either an
answer or a motion for summary judgment” and the defendants in this case have not served an
answer and have not moved for summary judgment

NOW THEREFORE, the within action is dismissed without prejudice.

GILBERTO M. GARCIA, LLC

Attorneyfor Plaintiffs,
LATINO FOOD CORPORATION
PERU FOOD, INC.

By: /s/ Gilberto M. Garcia
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Dated: June 4, 2017

*As Ordered -
G. Garcia, Esq.
6/5/18*